

**School Districts' Alliance for Adequate Funding of Special Education:  
Questions & Answers**

**Q. How many school districts are involved in the suit?**

A. Twelve districts have taken the lead in this suit. The School Districts' Alliance for Adequate Funding of Special Education includes Bellingham, Bethel, Burlington-Edison, Everett, Federal Way, Issaquah, Lake Washington, Mercer Island, Northshore, Puyallup, Riverside and Spokane School Districts.

**Q. Why isn't every school district in the state involved?**

A. Twelve districts are leading the effort on behalf of many other districts across the State. In addition, more than 70 school districts have joined the Friend of the Court brief that the Tacoma School District filed in the lawsuit in support of the Alliance.

**Q. Why are these school districts suing the State of Washington?**

A. Under our State Constitution, it is the State's paramount duty to provide for the education of all children. Our courts have ruled that special education programs are required and must be included as part of the State's system of basic education.

Despite the law and the court rulings, the State has not lived up to its obligation, forcing school districts to make cuts in programs and to use local levy money for special education programs. With special education costs increasing every year, school districts have had to cut programs and to rely on local levy funds to pay for these unfunded expenditures.

**Q. Why isn't there enough money to fund special education?**

A. The State uses an outdated special education funding formula that is no longer working. The number of special education students has grown, and the costs of special education programs have increased dramatically. The current funding formula leaves many school districts falling short and having to make cuts and to rely on local levy dollars that are supposed to go to enrichment programs that benefit all students.

**Q. Isn't it the obligation of school districts, not the State, to make sure its special education students have the same education as the general population students?**

A. School districts are committed to ensuring that the needs of students in special education are met. In fact, school districts accept it as a moral obligation.

The problem is that one partner in this equation is not paying its full share. The State is shirking its full obligation.

**Q. How does the special education funding formula work?**

A. The State funds special education at a flat rate for each student in special education regardless of actual need. Funding for special education enrollment is capped at 12.7 percent of the total number of students, yet many districts are way over the cap – for example, Spokane is more than 600 students above the cap.

**Q. What's wrong with using local levy dollars to supplement special education?**

A. Local levies are critical for the operation of local school districts. The courts have clearly stated that levies are for enrichment programs that benefit all students. They are not intended to fund special education programs that are part of basic education programs. Districts must reduce or eliminate enrichment programs that all students participate in and benefit from when there is not enough money to fund them. If the State fulfilled its obligation, local levy dollars could be used to enhance all student learning, which our courts have said is the intended purpose of local levies.

**Q. Why can't you work with legislators instead of suing the State?**

A. We have tried to work with legislators. Despite many attempts to inform State officials and legislators about the funding shortfall for special education programs, the State has not yet acted to solve the problems.